

09-09-05

117B

DOCKET NO.: GES-0002

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Stephen P. Murphy; Edward T. Murphy
and George W. Murphy

Confirmation No.: 8559

Application No.: 10/080,071

Group Art Unit: 3673

Filing Date: February 21, 2002

Examiner: Michael Safavi

For: PATIENT POSITIONING DEVICE

EXPRESS MAIL LABEL NO: EL 999298091 US
DATE OF DEPOSIT: September 8, 2005

EL 999298091 US

MAIL STOP MISSING PARTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE CORRECT APPLICATION PAPERS
(Notice of Allowance mailed)

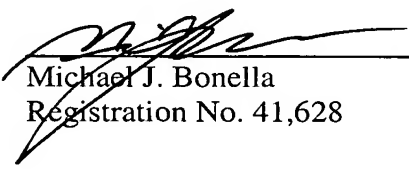
In response to the "Notice to File Correct Application Papers—Notice of Allowance Mailed" dated August 29, 2005, a response to which is due September 29, 2005, enclosed herewith for filing is:

- ☒ A copy of said Notice to File Correct Application Papers—Notice of Allowance Mailed.
- ☐ A substitute specification in compliance with 37 CFR § 1.52.
- ☐ sheets of replacement drawings in compliance with 37 CFR § 1.84.
- ☒ Other: Copies of three (3) Combined Declaration and Power of Attorney documents executed by the inventors previously submitted to the Patent and Trademark Office in response to the Notice to File Missing Parts of Application mailed March 19, 2002. Supporting documentation is also attached consisting of Response to Notice to File Missing Parts of

Application; Copy of Express Mail Label No. EL 926698235 US; and copy of Post Card date Stamped by the PTO on April 9, 2002.

- ☐ Applicant(s) has (have) previously claimed small entity status under 37 CFR § 1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as .
- ☒ The Commissioner is hereby authorized to charge any deficiency or credit any overpayment of the fees associated with this communication to Deposit Account No. 23-3050.

Date: September 8, 2005


Michael J. Bonella
Registration No. 41,628

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439



GAL/MJB
MAS

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/080,071	02/21/2002	Stephen P. Murphy	GES-0002	8559

23377 7590 08/29/2005
WOODCOCK WASHBURN LLP
ONE LIBERTY PLACE, 46TH FLOOR
1650 MARKET STREET
PHILADELPHIA, PA 19103

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SEP 02 2005

Woodcock Washburn

EXAMINER

SAFAVI, MICHAEL

ART UNIT PAPER NUMBER

3673

DATE MAILED: 08/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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WWKMN

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Noreen Garonski
Woodcock Washburn



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Serial Number
10080071

Date Mailed
8/29/05

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Notice of Allowance Mailed

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 30 days from the mail date of this Notice within which to correct the informalities indicated below. A failure to reply will result in the application being ABANDONED. This period for reply is NOT extendable under 37 CFR 1.136 (a) or (b).

- This communication is in regards to the oath/declaration. The signatures for Edward Murphy and George Murphy are missing from the oath/declaration.

APPLICANT MUST SUPPLY MISSING INFORMATION WITHIN 30 DAYS OF THE MAIL DATE OF THIS NOTICE.

A copy of this notice MUST be returned with the reply. Please address response to Commissioner for Patents P.O. Box 1450
Alexandria, VA 22313-1450

A handwritten signature, likely of Edward Murphy, is written over a horizontal line at the bottom left of the page.

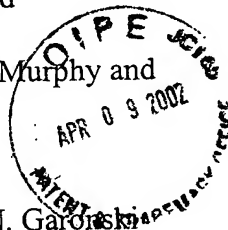


RECEIVED BY THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Paper: Response to Notice to File Missing Parts of
Application and Request for Extension of Time (in
duplicate); three (3) executed Declarations and Power
of Attorney documents; Associate Power of
Attorney; copy of Notice to File Missing Parts; check
in sum of \$65.00 and return post card
Title: Patient Positioning Device
Applicant (s): Stephen P. Murphy; Edward T. Murphy and
George W. Murphy
Serial No.: 10/080,071
Filed: February 21, 2002
Docket No.: GES-0002 GHL/MJB/N. Garonski
Date Sent: April 5, 2002

RECEIVED BY THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Paper: Response to Notice to File Missing Parts of
Application and Request for Extension of Time (in
duplicate); three (3) executed Declarations and Power
of Attorney documents; Associate Power of
Attorney; copy of Notice to File Missing Parts; check
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Serial No.: 10/080,071
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Docket No.: GES-0002 GHL/MJB/N. Garonski
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DOCKET NO.: GES-0002

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
Stephen P. Murphy; Edward T. Murphy and
George W. Murphy

Group Art Unit: 3628

Serial No.: 10/080,071

Customer No.: 23377

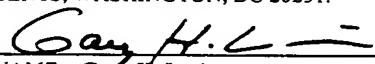
Filing Date: February 21, 2002

Confirmation No.: 8559

For: PATIENT POSITIONING DEVICE

DATE OF DEPOSIT: April 5, 2002

I HEREBY CERTIFY THAT THIS PAPER IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL
SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID,
ON THE DATE INDICATED ABOVE AND IS ADDRESSED
TO BOX MISSING PARTS, ASSISTANT COMMISSIONER
FOR PATENTS, WASHINGTON, DC 20231.


TYPED NAME: Gary H. Levin
REGISTRATION NO.: 28,734

BOX MISSING PARTS

Assistant Commissioner for Patents
Washington DC 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION AND
REQUEST FOR EXTENSION OF TIME**

In response to the "Notice to File Missing Parts of Application--Filing Date Granted"
dated March 19, 2002, a response to which is due May 19, 2002, enclosed herewith for filing is:

Declarations and Powers of Attorney

- ☒ Three (3) Combined Declaration and Power of Attorney documents attached to the specification, executed by the inventor(s). An unexecuted copy of this document, attached to the above-identified specification, was filed by Express Mail No. EL926698235US on February 21, 2002.
- ☐ A Combined Declaration and Power of Attorney, executed by the inventor(s) and identifying fewer/more inventors than those identified in the unexecuted declaration filed with to the above-identified application specification on @@, via by Express Mail No. @@. Such deletion/addition of inventors is specifically provided for in 37 CFR Sec. 1.48.
- ☐ A copy of the original Declaration and Power of Attorney, executed by the

inventor(s) as filed in parent application serial no. _____.

- ☐ A copy of the Power of Attorney with revocation filed on _____
- ☐ A Combined Power of Attorney with Revocation and Statement Under 3.73(b)
- ☒ An associate power of attorney executed by Gary H. Levin who is/was listed on the original declaration/power of attorney.

Drawings

- ☐ _____ Sheets of Substitute drawings comprising Figures _____ in compliance with 37 C.F.R. 1.84.

Sequence Listing (Note - All items listed below are required if Sequence Listing is also being filed with Missing Parts)

- ☐ Paper copy of Sequence Listing
- ☐ Diskette containing Sequence Listing in computer readable form
- ☐ Amendment directing entry of sequence listing in specification
- ☐ Statement to Support Filing of Sequence listing

Claim for Small Entity Status

- ☒ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as:
 - ☐ an Independent Inventor
 - ☐ a Small Business Concern
 - ☐ a Nonprofit Organization

Miscellaneous Items

- ☒ A copy of the Notice to File Missing Parts.
- ☐ Request for Corrected Filing Receipt.

- ☐ Request for Refund Due to Small Entity Status
- ☐ Request for Refund Due to Fee Calculation Error
- ☐ A substitute specification in compliance with 37 C.F.R. 1.52.
- ☐ Other: _____

Fee Calculation and Extension of Time

- ☐ Request is hereby made under 37 CFR 1.136(a) to extend the time for response to the Notice to File Missing Parts of Application due @@ to and through @@, comprising an extension of the shortened period of @@ months:

	SMALL ENTITY		NOT SMALL ENTITY	
	RATE	FEE	RATE	FEE
MISSING PARTS SURCHARGE	\$65	\$	\$130	\$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$55	\$	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$200	\$	\$400	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$460	\$	\$920	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$720	\$	\$1440	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$980	\$	\$1960	\$
TOTAL FEE DUE				\$65.00

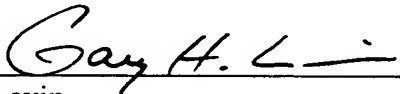
Applicant(s) has/have not been notified that the requested extension will not be permitted. The present application is not involved in an interference declared pursuant to 37 CFR 1.207.

- ☒ A check in the total amount due of \$65.00 is attached to cover the surcharge and any requested extension of time. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☐ Please charge the surcharge to my Deposit Account No. 23-3050 in the amount of \$@@.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.
- ☒ Any additional filing fees required under 37 CFR 1.16 including fees for presentation of extra claims.

- ☒ Any additional patent application processing fees under 37 CFR 1.17 and under 37 CFR 1.20(d).
- ☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.
- ☒ Any patent application processing fees under 37 CFR 1.17 and under 37 CFR 1.20(d).
- ☐ The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
- ☒ Any filing fees under 37 CFR 1.16 including fees for presentation of extra claims.

This sheet is attached in duplicate.

Date: April 5, 2002



Gary H. Levin
Registration No. 2,734

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One Liberty Place - 46th Floor
Philadelphia PA 19103
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